



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,467	02/06/2001	Shiro Fujihara	P/1912-21	4283

7590 06/07/2005

Steven I Weisburd Esq
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
41st Floor
New York, NY 10036-2714

EXAMINER

VENT, JAMIE J

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,467

Applicant(s)

FUJIHARA, SHIRO

Examiner

Jamie Vent

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-9 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,10,11,13-17 and 19-21 is/are rejected.
- 7) ☒ Claim(s) 3,12 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/19/2002 and 10/28/2002,
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-6, 10, 11, 13-17, 19-21 are rejected under 35 U.S.C. 102(b) as being unpatentable by Yagasaki et al (US 6,266,482).

[claim 1]

In regard to Claim 1, Yagasaki et al discloses a copy controlling system in a device for compressed and encoded digital receiving and recording contents, comprising:

- a means for changing orthogonal transform coefficients for every block obtained by decoding processing of the digital contents, depending on attribute information relative to copying restriction of the digital contents (Column 3 Lines 55-67 through Column 4 Lines 1-45 discloses the means for changing the orthogonal transform coefficients for every block as further seen in Figures 1 and 2); and
- a means for creating stream data for recording after encoding again the orthogonal transform coefficients for every block (Figure 1 shows the means for creating stream data for recording the orthogonal transform coefficients for every block).

[claims 2, 11, & 17]

Art Unit: 2616

In regard to Claims 2, 11, and 17 Yagasaki et al discloses a copy controlling system in a device for recording digital contents compressed and delivered by the MPEG (Moving Picture Coding Experts Group) standard comprising:

- a means for requiring even a discrete cosine transform (referred to as "DCT") coefficient of the digital contents, in decoding the digital contents (Column 3 Lines 25-67 describes the means for requiring a DCT coefficient for digital contents);
- a within-block coefficient controlling means for changing the DCT coefficients within a block, according to attribute information relative to recording restriction of the digital contents (Column 4 Lines 53-67 describes the changing of the DCT coefficient within a block as further seen in Figure 3); and
- a means for creating stream data for recording after encoding again the obtained DCT coefficients (Column 7 Lines 57-67 describes the means of creating a stream of data for the encoded data which obtains the DCT coefficients).

[claims 4, 13, 19]

In regard to Claims 4, 13, and 19, Yagasaki et al discloses a copy controlling system in the case of the digital contents whose attribute information is the CopyOnce, information for charging the above to the attribute NoMoreCopy is added to the DCT coefficients (Column 8 Lines 45-67 describes the copy control system in which the digital contents

Art Unit: 2616

contains copy once information and no more copy information which is added to the DCT coefficients).

[claims 5, 14, & 20]

In regard to Claims 5, 14, and 20, Yagasaki et al discloses a copy controlling system in which it is said within block coefficient controlling means in the case of the digital contents whose attribute information is the NeverCopy or the NoMoreCopy, the number of the AC components whose values remain in the DCT coefficients within one block is increased or decreased periodically with time (Column 12 Lines 40-64 describes the copy controlling of the contents based on the attribute information wherein the values are increased or decreased).

[claims 6, 15, & 21]

In regard to Claims 6, 15, and 21, Yagasaki et al discloses a copy controlling system in said within-block coefficient controlling means, in the case of the digital contents whose attribute information is the Nevercopy or the NoMorecopy, the number of the AC coefficients whose values remain in the DCT coefficients within one block is varied, based on the compression ratio of the digital contents; and in the case of the digital contents having a high compression ratio, the number of the AC coefficients whose values remain is set small, while in the case of the digital contents having a low compression ratio, the number of the AC coefficients whose values remain is set large (Column 12 Lines 5-67 describes the copy control system wherein the in-block coefficients are increased or decreased based on the ratio set regarding the value of the attribute information).

Art Unit: 2616

[claims 10 & 16]

In regard to Claims 10 and 16, Yagasaki et al discloses a copy controlling method comprising the steps of:

- a step of receiving compressed and encoded digital contents, requiring orthogonal transform coefficients for every block of the digital contents in decoding the digital contents, and changing the orthogonal transform coefficients, depending on attribute information relative to copying restriction of digital contents, the digital contents (Column 3 Lines 55-67 through Column 4 Lines 1-45 discloses the means for changing the orthogonal transform coefficients for every block as further seen in Figures 1 and 2); and;
- a step of creating stream data for recording after encoding again the obtained orthogonal transform coefficients (Column 7 Lines 58-67 describes creating the stream data for recording the encoded stream).

Allowable Subject Matter

[claims 3, 12, and 18]

Claims 3, 12, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

[claims 7, 8, & 9]

Claims 7, 8, and 9 are allowed.

Art Unit: 2616

The following is an examiner's statement of reasons for allowance:

The prior art of record, Yagasaki et al discloses a copy control system wherein DCT coefficients are changed on a selecting basis as seen in Figures 2-3; however, fails to teach, suggest, or disclose the a recording data controlling system wherein:

“..a within-block coefficient controlling unit for turning to 0 the values of the DCT coefficients within a block other than a DC component and a predetermined number of AC components of low frequency region..”

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Hosaka et al (US 2004/0005076);
- Ryan et al (US 6,374,036).

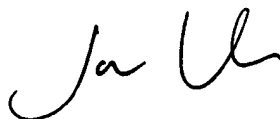
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

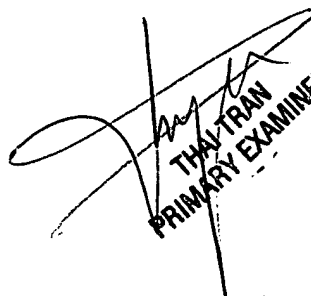
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamie Vent
05/30/05



THAI TRAN
PRIMARY EXAMINER